

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/2/2021
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SOTER TECHNOLOGIES, LLC,

Plaintiff,

-v-

IP VIDEO CORPORATION, A+ TECHNOLOGY  
& SECURITY SOLUTIONS, INC., and ADVANCE  
CONVERGENCE GROUP, INC.,

Defendants.  
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20-cv-5007 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Plaintiff has moved, at Dkt. No. 99, to seal Exhibits A, H, K & L to the Second Amended Complaint, filed at Dkt. Nos. 100 & 101. By text order at Dkt. No. 102, the Court ordered Defendants to identify the exhibits they claim should be maintained under seal and to provide justification for such treatment under Second Circuit precedent. Defendants filed a letter responding to that Order at Dkt. No. 105, in which they assert they seek to maintain Exhibits A, H, J, and K to the Second Amended Complaint under seal. Exhibit J has previously been approved for filing under seal, *see* Dkt. No. 69, and this Order does not displace that ruling.

Defendants seek to maintain Exhibits A and H under seal on grounds that both documents contain confidential information relating to ownership of domain names and that Exhibit H also contains confidential and commercially sensitive discussion of marketing strategy. Defendants seek to maintain Exhibit K under seal on grounds that it contains confidential and commercially sensitive information regarding marketing strategy.

There is a presumption of public access to judicial documents, the weight of which depends on how directly the documents affect an adjudication of matters before the Court, and which is balanced against competing considerations including privacy interests. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). In addition to the common law presumption of access, there is also a “qualified First Amendment right to attend judicial proceedings and to access certain judicial documents.” *Id.* (quoting *Hartford Courant Co. v. Pellegrino*, 380 F.3d 83, 91 (2d Cir. 2004)). The presumption may be overcome by “specific, on-the-record findings that sealing is necessary to preserve higher values and only if the sealing order is narrowly tailored to achieve that aim.” *Id.* at 124.


Upon consideration of the relevant factors, it is ORDERED that the motion to seal, at Dkt. No. 99, is DENIED IN PART AND GRANTED IN PART. The motion to maintain Exhibit K under seal is DENIED. The motion to maintain Exhibits A and H under seal is DENIED IN

PART. Defendants have supported their argument for maintaining under seal the domain names the ownership of which is claimed to be confidential. Defendants have not supported their argument to maintain any other portion of Exhibits A and H under seal. Accordingly, the public versions of Exhibits A and H should be redacted to keep confidential only the domain names.

Plaintiff and Defendants are ordered to meet and confer to agree upon the redactions consistent with this Order and Plaintiff is ORDERED, after meeting and conferring, to file on the public docket versions of Exhibits A and H incorporating Defendant's redactions as described above. The Clerk of Court is respectfully directed to unseal Exhibit K to Dkt. No. 103 and close Dkt. No. 99.

SO ORDERED.

Dated: April 2, 2021  
New York, New York

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LEWIS J. LIMAN  
United States District Judge